

AN ORDINANCE TO AMEND CHAPTER 6, ARTICLE 9, SECTION 4, DEPOSITING
SNOW ON STREETS, OF THE TOWN CODE OF SILVERTON, COLORADO

WHEREAS, the Board of Trustees of the Town of Silverton, Colorado desires to modify Chapter 6, Article 9, Section 4 of the Town code of Silverton, Colorado, in order to define the Town's regulations concerning the removal of snow from private properties;

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILVERTON, COLORADO that:

1. Chapter 6, Article 9, Section 4 of the Town Code of Silverton, Colorado shall be amended to read:

"6-9-4 Depositing Snow on Public Right-of-Ways

- (a) No person shall deposit, or cause to be deposited, on any public street, alley, sidewalk, or roadway situated in the Town of Silverton any snow taken from or removed from any private property, except as allowed herein.
- (b) Snow may be removed from private sidewalks and deposited on the public right-of-way in such a manner so as not to block or interfere with pedestrian or vehicular traffic.
- (c) No person shall remove snow from building roofs and deposit the snow on any street or public sidewalk situated in the 1100, 1200, or 1300 blocks of Greene Street except as allowed in this section. Snow may be removed from building roofs and deposited in the alley right-of-way provided the person doing the work notifies the Town of the building location and the time of removal prior to depositing any snow on the alley right-of-way and the person doing the work provides visible barricades or other suitable means to block off the snow deposition area to vehicular and pedestrian travel during the time period when snow is being deposited on the alleyway. If a building is situated such that snow cannot be removed and deposited in the alley right-of-way, the owner may apply to the Public Works Department for a special permit to deposit snow on the street right-of-way provided the snow deposition area is barricaded to effectively block off the snow deposition area to pedestrian and vehicular traffic and the person depositing the snow either removes the snow from the sidewalk immediately after clearing the building roof or pays the Town a snow removal fee based on a rate charge of one hundred and no/100s dollars (\$100.00) per hour with a minimum fee of fifty and no/100's dollars (\$50.00). The applicant shall agree to remove the snow from the sidewalk at his own expense or pay the minimum snow removal fee at the time the permit is issued. If the person fails to remove the snow from the sidewalk or fails to pay any snow removal charges which are in excess of the minimum fee, the Town may remove the snow and assess the charges, including charges in excess of the minimum fee, against the property pursuant to Section 6-9-3 of the Town Code. Failure of a person to abide by the provisions of an issued permit shall constitute grounds to deny future permits.

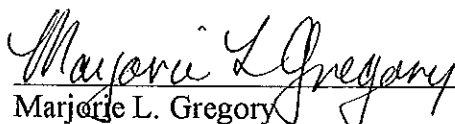
- (d) Snow may be removed from public and private parking lots, driveways and similar facilities and deposited upon private properties if the person doing the work has written authorization from the property owner possessing the deposition site. Snow may be removed from public and private parking lots, driveways and similar facilities and deposited on the shoulder of street right-of-ways provided the person doing the work deposits the snow in such a manner so as not to interfere, in any way, with the public use of the right-of-way, including the snow removal operations of the Town. At the sole discretion of the Public Works Director, if the snow removed from public or private parking lots, driveways and similar facilities is interfering with the public use of the right-of-way, including the Town's snow removal operations, the property owner from whose property the snow was originally removed shall remove the deposited snow from the right-of-way within twenty-four (24) hours of receiving notice from the Town or pay the Town a snow removal fee of one hundred and no/100s dollars (\$100.00) within twenty-four (24) hours of receiving notice from the Town, and the Town will remove the snow from the right-of-way. If the property owner fails to remove the snow or to pay the Town to remove the snow, the Town may remove the snow in accordance with Section 6-9-3 of the Town Code of Silverton, Colorado.
- (e) Upon either written or verbal notice from Town officials, any person who is removing snow from private property and depositing the snow on any public right-of-way contrary to the provisions of this Section, shall immediately cease any further deposition onto the public right-of-way, and any snow so deposited shall be removed from the public right-of-way immediately if so directed by the Public Works Director or an authorized agent of the Town. Failure to comply with a stop work order or to remove the snow deposited on the right-of-way shall constitute a separate offense under the provisions of the Town Code. In addition to all other remedies, the Town may remove the snow deposited in violation of this Section and assess the property owner a snow removal fee based on one hundred and no/100s dollars (\$100.00) per hour, with a minimum charge of one hundred and no/100s dollars (\$100.00), in accordance with Section 6-9-3 of the Town Code of Silverton, Colorado."


2. This ordinance is necessary for the preservation of the public health, safety, and welfare.

PASSED AND ADOPTED THIS 10th DAY OF FEBRUARY, 1997.

ATTEST:

TOWN OF SILVERTON


Marjorie L. Gregory
Town Clerk-Treasurer


Terrence M. Kerwin
Mayor